

Reference:  
WC Docket No. 04-229  
Comp. Pl. File No. 686

6/23/2004

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Attention Federal Communication Commission:

I want to thank you for the opportunity to comment on the Application of Time Warner Rescom of New York, LLC to Discontinue Telecommunications Services.

As you are aware from Time Warner's application that Time Warner is requesting to discontinue "certain circuit-switched local exchange toll services in the Rochester, NY area affecting approximately 3000 people." Time Warner is stating that this is minimal impact because they plan to offer an alternative packet-switched service and that they are a non-dominant carrier with respect to the local telephone services that they offer.

Unfortunately, the situation is not quite so simple. In detail, Time Warner encouraged people to switch away from the dominate carrier by offering more competitive rates and free switching fees. They did not require their customers to obtain long distance service through Time Warner. So with this "circuit-switched" service they were providing a competitive local only offering. With this new "packet-switched" offering, however, Time Warner is insisting that customers get both long distance and local service bundled together. This is an anti-competitive practice. The difference to their loyal paying customers goes from \$12.96 per month to \$44.95 per month plus taxes.

While it is true that there are other more dominant providers of local only telephone services in the Rochester area, namely Frontier Telephone that customers can move to; there is an associated cost to this move. Time Warner is insisting customers who choose not to obtain long distance through them pay for this switching fee of approximately \$33. If you can not afford to pay this fee they intend to cut off your service. This significantly puts a burden on their exiting customer base to bare the costs of Time Warner's transition of service. Not only is this an inconvenience to Time Warner's customers to switch, it may be a significant problem to which Time Warner has repeatedly refused to assist.

Time Warner has done nothing to insure that customers of low income, disabilities, or elderly people on fixed incomes are not adversely impacted by this action. These people may not know how to switch over, or may not be able to afford this process that was initially offered for free by Time Warner to their service. Can you imagine a senior citizen having to choose between medications or maintaining phone services? What has

Time Warner done for the low income wage earner having to work a full day simply to pay for these switching costs?

Time Warner should be responsible for the switching fees for all of their customers that do not desire this bundled package. Time Warner's customers should not be inconvenienced by their business practices. Most of all on July 15<sup>th</sup>, 2004 the FCC should be assured that Time Warner's customers are not forced to be without vital telephone services that may be required for emergency circumstances.

I urge the FCC not to approve this switchover until Time Warner reimburses these fees and insures that all its customers are properly switched.

Thank you for your consideration,

Sincerely,

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